



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Liu, et. al.

Examiner: Ardin Marschel

Serial No: 09/735,574

Art Unit No.: 1631

Filing Date: December 12, 2000

Title: **Systems and Computer Software
Products for Comparative Gene
Expression Analysis**

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Examiner:

In response to the September 9, 2003 Restriction Requirement, the Examiner is requiring an election between the following groups of claims:

- I. Claims 1-6, 14-19, 27-32; drawn to a computer method, system, or computer software product for calculating a normalization factor between probe arrays, classified in class 702, subclass 19.
- II. Claims 7-13, 20-26, and 33-39; drawn to a computer method, system, or computer software product for comparing gene expression between a first and second sample with the evaluation of a p-value via the Wilcoxon's signed rank test, classified in class 702, subclass 19.

Applicants elect the invention of Group II (claims 1-6, 14-19, 27-32). Applicants reserve the right to re-present non-elected claims in a divisional or other related application.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Respectfully submitted,



Wei Zhou
Reg. No.: 44,419

Date: 9/16/03

Customer No.: 22886
Affymetrix, Inc.,
Legal Department
3380 Central Expressway
Santa Clara, CA 95051
Tel: 408/731-5000; Fax: 408/731-5392